

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

*The County of Summit, Ohio, et al. v. Purdue
Pharma L.P., et al.*
Case No. 18-op-45090

and

*The County of Cuyahoga v. Purdue Pharma
L.P., et al.*
Case No. 1:18-op-45004

**MDL No. 2804
Case No. 17-md-2804
Hon. Judge Dan A. Polster**

**AMERISOURCEBERGEN CORPORATION AND
AMERISOURCEBERGEN DRUG CORPORATION'S
OBJECTIONS TO PLAINTIFFS' DEPOSITION DESIGNATIONS**

Pursuant to the Civil Jury Trial Order, ECF No. 1598, entered in In re National Prescription Opiate Litigation (MDL 2804) on May 1, 2019 (as amended in Judge Polster's July 29, 2019 order), Defendants AmerisourceBergen Corporation ("ABC") and AmerisourceBergen Drug Corporation ("ABDC") submit the following Objections to Plaintiffs' Affirmative Deposition Designations.

ABDC hereby serves Objections to the following deposition designations affirmatively designated by Plaintiffs (*see* Exhibit A):

1. Eric Cherveney
2. Nathan Elkins
3. Edward Hazewski
4. Stephen Mays

5. Elizabeth Garcia
6. David May
7. Michael M. Miller

Because Plaintiffs have withdrawn all deposition designations to certain previously identified AmerisourceBergen witnesses (Chris Zimmerman, Rita Norton, Kevin Kreutzer, and Marcelino Guerriero), ABC and ABDC are not filing objections to those designations. ABDC however, reserves the right to object to any attempt by Plaintiffs to play affirmatively any portion of those witnesses' video depositions at trial and reserves the right to counter-designate testimony for these witnesses.

ABC and ABDC further reserve all rights, including all rights to revise or withdraw Objections. ABC and ABDC further reserve the right to revise or withdraw these Objections based on the Court's rulings, Plaintiffs' and other individual Defendants' designations of deposition testimony, and evidence introduced at trial. Consistent with prior representation by Plaintiffs' counsel that "objections and colloquy will not be proffered" by Plaintiffs, ABDC has not objected on a line-by-line basis to objections and colloquy; instead, ABDC objects to all objections and colloquy as a global matter.

ABDC's objections are made pursuant to the following Objections Key:

Code	Objection
402	Relevance. FRE 402.
403	Undue Prejudice, Confusion, Waste of Time. FRE 403.
408	Inadmissible Evidence of Settlement or Negotiations. FRE 408.
602	Lack of Foundation/Speculation. FRE 602.
802	Hearsay. FRE 802.
AA	Asked and Answered. FRE 611(a).
AF	Assumes Facts Not in Evidence. FRE 103(d), 611(a).
ARG	Argumentative. FRE 611(a).
AU	Authentication Lacking. FRE 901.
BER	Best Evidence Rule. FRE 1002.
CML	Cumulative. FRE 403, 611(a).
CMP	Compound Question. FRE 611(a).
CO	Contrary to Court Order.
COL	Improper Attorney Colloquy. FRE 103(d), 603.
DEM	Demonstrative Not Marked as Exhibit. FRE 103(d), 611(a).
HYP	Improper Hypothetical. FRE 602, 701.
ILO	Improper Opinion of Lay Witness. FRE 701.
INC	Designation Incomplete; Incomprehensible.
LC	Calls for Legal Conclusion. FRE 103(d), 602, 701.
LDG	Leading. FRE 611(c).
MD	Misstates the Document. FRE 103(d), 611(a).
MPT	Misstates Prior Testimony. FRE 103(d), 611(a).
NAR	Calls for Narrative Response. FRE 103(d), 611(a).
NR	Nonresponsive. FRE 611(a).
PV	Privileged. FRE 103(d), 501, 502.
SCP	Outside the Scope of Designated Topics. FRE 602, 611(a)-(b); FRCP 30(b)(6).
SUM	Improper Summary. FRE 1006.

Dated: October 2, 2019

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/s/ Robert A. Nicholas

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Corporation*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on October 2, 2019 via electronic transfer to all counsel of record, consistent with the Court's order.

/s/ Robert A. Nicholas
Robert A. Nicholas